

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
ASHEVILLE DIVISION  
CRIMINAL CASE NO. 1:23-cr-00021-MR-WCM**

<b>UNITED STATES OF AMERICA,</b>	)	
	)	
<b>Plaintiff,</b>	)	
	)	
<b>vs.</b>	)	<b><u>ORDER</u></b>
	)	
<b>PHILLIP BRADLEY HOLLAR,</b>	)	
	)	
<b>Defendant.</b>	)	
<hr/>	)	

**THIS MATTER** is before the Court on the Defendant's Motion to Seal Exhibit 1 of Defendant's Sentencing Memorandum [Doc. 31].

The Defendant, through counsel, moves the Court for leave to file Exhibit 1 of his Sentencing Memorandum [Doc. 33] under seal in this case. For grounds, counsel states that the exhibit includes protected health information. [Doc. 31].

Before sealing a court document, the Court must "(1) provide public notice of the request to seal and allow interested parties a reasonable opportunity to object, (2) consider less drastic alternatives to sealing the documents, and (3) provide specific reasons and factual findings supporting its decision to seal the documents and for rejecting the alternatives." Ashcraft v. Conoco, Inc., 218 F.3d 288, 302 (4th Cir. 2000). In the present

case, the public has been provided with adequate notice and an opportunity to object to the Defendant's motion. The Defendant filed his motion on February 15, 2024, and it has been accessible to the public through the Court's electronic case filing system since that time. Further, the Defendant has demonstrated that the exhibit contains personal health information and that the public's right of access to such information is substantially outweighed by the Defendant's competing interest in protecting the details of such information. See United States v. Harris, 890 F.3d 480, 492 (4th Cir. 2018). Finally, having considered less drastic alternatives to sealing the document, the Court concludes that sealing of the Exhibit is necessary to protect the Defendant's privacy interests.

Accordingly, the Defendant's Motion to Seal is granted, and counsel shall be permitted to file Exhibit 1 of the Sentencing Memorandum under seal.

**IT IS, THEREFORE, ORDERED** that the Defendant's Motion to Seal Exhibit 1 of Defendant's Sentencing Memorandum [Doc. 31] is **GRANTED**, and the Defendant's Exhibit 1 of Sentencing Memorandum [Doc. 33] shall be filed under seal and shall remain under seal until further Order of the Court.

**IT IS SO ORDERED.**

Signed: February 20, 2024

  
Martin Reidinger  
Chief United States District Judge

